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PTO/SB/21 (09-04)

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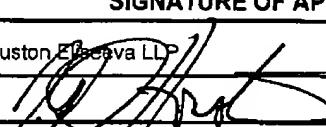
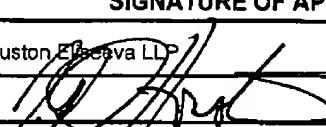
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FORM**

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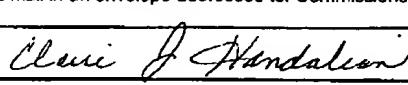
Total Number of Pages in This Submission

	Application Number	09/909,330
	Filing Date	July 19, 2001
	First Named Inventor	Dale C. Flanders
	Art Unit	2828
	Examiner Name	Nguyen, Dung T.
# 3	Attorney Docket Number	1035us

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Notice of Non-Compliant Amendment
Remarks		
		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Houston Eliseeva LLP	
Signature		
Printed name	J. Grant Houston	
Date	March 11, 2005	Reg. No. 35,900

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature		
Typed or printed name	Claire J. Handalian	Date
	March 14, 2005	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re:	Dale C. Flanders	Confirmation No:	9626
Serial No:	09/909,330	Group:	2828
Filed:	July 19, 2001	Examiner:	Nguyen, Dung T.
For:	Fixed Wavelength Single Longitudinal Mode Coolerless External Cavity Semiconductor Laser System		
Customer No.:	25263		
Attorney Docket No.	1035us		

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

VIA FACSIMILE: **703-872-9306**  
 Mail Stop Amendment  
**Commissioner for Patents**  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment mailed February 22, 2005, Applicant's attorney wishes to bring to the attention of the Examiner that the Reply to Office Action dated February 3, 2000 included a Declaration Under 37 CFR § 1.131 with attachments/exhibits (6 sheets). The drawings deemed to be in non-compliance were not intended to be amended or replacement drawings for the application, but rather were figures attached to, and in support of, the Declaration Under 37 CFR § 1.131. The 6 sheets of drawings were attached to the Declaration and were labeled "attached sheets," to identify them as attachments to the Declaration.

Application No.: 09/909,330  
Amendment dated: March 11, 2005  
Reply to Notice of Non-Compliant Amendment of 02-22-05  
Attorney Docket No.: 1035.us

Applicant's attorney thus respectfully requests that the Notice of Non-Compliant  
Amendment be withdrawn.

Respectfully submitted,

By   
J. Grant Houston  
Registration No.: 35,900  
Tel.: 781 863 9991  
Fax: 781 863 9931

Lexington, Massachusetts 02421  
Date: March 11, 2005